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Opinion

1957

July 22

Bernard S. Cram
Chief of Law Enforcement
Fish and Game Department
34 Bridge Street
Concord, New Hampshire

NEW HAMPSHIRE LAW LIBRARY

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CONCORD, N.H.

Dear Mr. Cram:

This is in response to your request of July 18 for our opinion as to whether corporations engaged in the sale of lobster meat at several retail outlets need separate licenses for each store under RSA 211:38.

The section in question provides as follows:

"211:38 Lobster Meat. No person except hotels and restaurants serving cooked lobster to guests for immediate consumption as food shall sell lobster meat which has not been processed and sealed within containers which do not require refrigeration without first procuring a license. The director shall issue such license for a period of one year. The annual fee for a resident for such license shall be two dollars and to a nonresident the fee shall be ten dollars."

We are of the opinion that a single license authorizes the sale of lobster meat at any number of retail outlets. The word "person" includes corporations. RSA 21:9. Had it been intended to require a separate license for each store provision to that effect would have been inserted as was done in RSA 211:39, relating to retail dealers' licenses.

Very truly yours,

Elmer T. Bourque
Assistant Attorney General

ETB/lt